

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager */MLC*

Date: June 27, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Kenneth B. Richardson, PE, Engineering Manager - Design
Philip K. Hartmann, Assistant Law Director

Re: ORDINANCE 65-14 - AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.056 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM MUIRFIELD ASSOCIATION, INC., FOR THE PROPERTY LOCATED AT THE CORNER OF BRAND ROAD AND MUIRFIELD DRIVE, FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE AS PART OF THE MUIRFIELD DRIVE / NFIR PEDESTRIAN BRIDGES PROJECT, AND DECLARING AN EMERGENCY.

Background

The City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project").

The Muirfield Association, Inc. (the "Grantor") owns property from which the City desires a permanent easement. This property is located at the corner of Brand Road and Muirfield Drive and is identified as Franklin County Parcel No. 273-003210.

After engaging in amicable discussions, the Grantor has agreed to donate this permanent easement to the City. This Ordinance authorizes the execution of conveyance documents to accept this grant of easement as a donation from the Grantor.

Acquisition

The City will be accepting from the Grantor only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The property interest is detailed below.

Franklin County Parcel No. 273-003210

Property Interest Acquiring	Description
Permanent Easement	0.056 acre ±

Recommendation

Ordinance No. 65-14 would authorize the City Manager to execute all necessary conveyance documentation to formally accept the necessary property interest described above.

The Law Department recommends that Council dispense with the public hearing and approve Ordinance 65-14 by emergency at the July 1, 2014 Council meeting in order to finalize the donation of the permanent easement from the Muirfield Association, Inc. to the City and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 65-14

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.056 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM MUIRFIELD ASSOCIATION, INC., FOR THE PROPERTY LOCATED AT THE CORNER OF BRAND ROAD AND MUIRFIELD DRIVE, FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE AS PART OF THE MUIRFIELD DRIVE/NORTH FORK INDIAN RUN PEDESTRIAN BRIDGES PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent easement from Muirfield Association, Inc. (the "Grantor") at the corner of Brand Road and Muirfield Drive, identified as Franklin County Parcel No. 273-003210, said property interest more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto; and

WHEREAS, the City desires to receive this permanent easement as a donation from the Grantor, said easement described in the attached Exhibit "A" and depicted in the attached Exhibit "B" located in the City of Dublin, County of Franklin, State of Ohio; and

WHEREAS, this donation will require the Grantor to execute a grant of easement to the City without consideration or compensation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute conveyance documents for a permanent easement donated by Muirfield Association, Inc.

Section 2. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interest is necessary for the advancement of this Project. The ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel #273-003210
Permanent Easement
for Shared-Use Path, Utilities, Storm Drainage, and Grading
0.056 acres

Situated in the State of Ohio, County of Franklin, City of Dublin, being in Virginia Military Survey Number 2544 and being a part of a 2.648 acre tract conveyed to Muirfield Association, Inc. by Official Record 9039, Page F04, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at 3/4" diameter iron pipe at the intersection of the east Right of Way of Muirfield Drive (variable Right of Way width - Plat Book 51, Page 17) and the northerly property line of said 2.648 acre tract, said point being the **Point of Beginning**;

Thence, South 31°34'29" East, a distance of 11.22 feet, along the northerly property line of said 2.648 acre tract to a point;

Thence crossing said 2.648 acre tract the following two courses:

1. South 31°30'24" West, a distance of 99.95 feet to a point;
2. South 42°18'44" West, a distance of 80.00 feet to the east Right of Way of said Muirfield Drive;

Thence, along the east Right of Way of said Muirfield Drive the following three courses:

1. With a curve to the right, a radius of 439.00 feet, an arc length of 94.44 feet, a delta of 12°19'33", a chord bearing of North 23°50'25" East, and a chord distance of 94.26 feet to a 3/4" iron pipe;
2. South 60°08'43" East, a distance of 17.58 feet to a point;
3. North 31°30'24" East, a distance of 89.69 feet to the **Point of Beginning**, containing 0.056 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.056 acre tract is a part of Auditor's Tax Parcel Number 273-003210 and is based on Official Record 9039, Page F04 and Plat Book 51, Page 17.

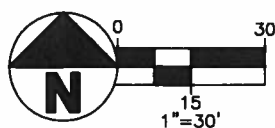
I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in April 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC


Charles A. Wagner - Professional Surveyor 8091

05.08.2014
Date





SYMBOL LEGEND

- IRON PIPE FOUND
 PERMANENT EASEMENT
 0.056 ACRES

MUIRFIELD DRIVE (RW VARIES)
 DEDICATION PLAT EXTENSION OF
 MUIRFIELD DRIVE AND EASEMENTS
 PB 51, PG 17 (FRA CO)

POINT OF BEGINNING

S31°34'29"E 11.22'

N31°30'24"E 89.89'
 S31°30'24"W 99.95'

MUIRFIELD ASSOCIATION, INC.
 O.R. 9039, PG F04
 2.648 ACRES
 273-003210

EASEMENT
 PB 51, PG 17

S60°08'43"E 17.58'

RADIUS=439.00'
 ARC LENGTH=94.44'
 DELTA=012°19'33"
 CHORD BEARING=N23°50'25"E
 CHORD DISTANCE=94.26'

S42°18'44"W 80.00'

WILLIAM R STAPLETON
 & DEBORAH L STAPLETON
 INSTRUMENT
 #201311270197229
 LOT 1872
 273-005231

MUIRFIELD GREENE
 PB 71, PG 13

VIRGINIA MILITARY NUMBER 2544
 CITY OF DUBLIN
 COUNTY OF FRANKLIN
 STATE OF OHIO

BASIS OF BEARINGS

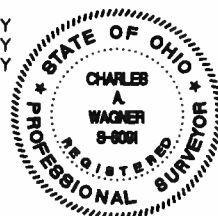
THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON
 THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH
 ZONE, NAD83 (CORS).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY
 CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY
 GUIDANCE IN APRIL 2014 AND TO THE BEST OF MY
 KNOWLEDGE DEPICTS THE BOUNDARY LINES.

Charles A. Wagner

CHARLES A. WAGNER, PS-8091
 CW DESIGN GROUP, LLC

05/08/2014
 DATE

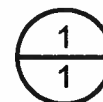


CW Design Group
 ENGINEERS | SURVEYORS

PHONE: 614-846-9279
 972 Linkfield Drive
 Worthington, Ohio 43085

PARCEL #273-003210
PERMANENT EASEMENT
 FOR SHARED-USE PATH, UTILITIES, STORM
 DRAINAGE, AND GRADING

13-0042



05/08/2014